



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,265	08/27/2001	Paul A. Smethers	3399P061	4538

26529 7590 11/02/2004

BLAKELY SOKOLOFF TAYLOR & ZAFMAN/PDC
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025

EXAMINER

APPIAH, CHARLES NANA

ART UNIT	PAPER NUMBER
----------	--------------

2686

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Examiner-Initiated Interview Summary

Application No.

09/940,265

Applicant(s)

SMETHERS, PAUL A.

Examiner

Charles Appiah

Art Unit

2686

All Participants:

(1) Charles Appiah.

(2) Jordan M. Becker.

Status of Application: _____

(3) _____.

(4) _____.

Date of Interview: 27 October 2004

Time: 10.4 5A.M.

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

35 U.S.C. 102(b) rejections based on Macor (5,841,849)

Claims discussed:

1-35

Prior art documents discussed:

Macor

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

CHARLES APPIAH
PRIMARY EXAMINER



(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant's representative was informed that the request for reconsideration of the Final Office Action mailed on 23 July 2004 has been found persuasive. The finality of the Office Action is therefore withdrawn and a new Office Action would be issued in due course.